



JAN SUMRALL
DISTRICT NO. 1

ROSE RODRIGUEZ
DISTRICT NO. 2

LARRY M. MEDINA
DISTRICT NO. 3

JOHN COOK
DISTRICT NO. 4

DANIEL S. POWER
DISTRICT NO. 5

PAUL J. ESCOBAR
DISTRICT NO. 6

LUIS G. SARIÑANA
DISTRICT NO. 7

ANTHONY COBOS
DISTRICT NO. 8

REGULAR COUNCIL MEETING
COUNCIL CHAMBERS
AUGUST 21, 2001
9:00 A.M.

The City Council met in regular session at the above place and date. Mayor Raymond C. Caballero present and presiding and the following Council Members answered roll call: Rose Rodriguez, Larry M. Medina, John F. Cook, Daniel S. Power, Paul Joseph Escobar, Luis G. Sariñana and Anthony Cobos. Absent: Council Member Jan Sumrall. Meeting was called to order and the invocation was given by Pastor Ed Peterson from New Hope Lutheran Church, followed by the Pledge of Allegiance to the Flag of the United States of America, Mayor's Proclamations & Certificates.

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RESOLUTION

BE IT RESOLVED BYT HE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the Director of the El Paso Museum of Art be authorized to accept, on behalf of the City of El Paso, the following gifts:

1. One (1) painting by artist Nick Muñoz entitled *White Grid*, and offered by the VC Gallery.
2. One (1) painting by artist Lloyd Goff entitled *Hacienda de Pancho Villa*, and offered by Fred and Jann Kline.
3. One (1) book by artist David Taylor entitled *Floating Islands*, and offered by David Taylor.

Motion made by Representative Cook, seconded by Representative Sariñana and unanimously carried to approve the above Resolution.

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*Motion made by Representative Medina, seconded by Representative Cook, and unanimously carried to approve, as revised, all matters listed under the Consent Agenda unless otherwise noted.
(Items approved under Consent Agenda will be shown with an asterisk {*}).

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*Motion made, seconded, and unanimously carried to approve the Minutes for Regular City Council Meeting of June 11, 2001.

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*Motion made, seconded and unanimously carried to excuse Representative Sumrall from the Regular Council Meeting of August 21, 2001.
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*Motion made, seconded and unanimously carried to delete the Resolution authorizing the Mayor to sign an amendment to the Surface Transportation Program - Transportation Enhancement Project Agreement between the City of El Paso and the State of Texas for the Santa Fe and Stanton Street Bridges, El Paso, Texas.

*Motion made, seconded and unanimously carried to delete the Resolution authorizing the Mayor to sign an amendment to the Local Project Advance Funding Agreement for traffic light synchronization between the City of El Paso and the State of Texas.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Lessor's Approval of Sublease between the City of El Paso, Texas (Lessor), and F & T Joint Venture (Lessor) together with related documents, for the following property: Lots 14 and 15, Block 4, El Paso International Airport Tracts, Unit 2, City of El Paso, El Paso County, Texas, municipally known and numbered as 7201 Boeing Drive, El Paso, Texas 79925.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Lease Agreement replacing the September 14, 1999 Lease, No DTFA07-98-L-01061 between the City of El Paso, Texas and the United States of America, represented by the Federal Aviation Administration, to replace existing Runway 22 Touchdown Runway Visual Value (RVV) equipment with a New Generation RVR at El Paso International.

*Motion made, seconded and unanimously carried to delete the Resolution that the Mayor be authorized to sign a Ground Lease Estoppel and Consent between the City of El Paso, Texas (Lessor), FINSA Development Corporation (Borrower), and Prudential Mortgage Capital, LLC (Lender) for the following property: a portion of Lot 7, Block 13, Butterfield Trail Industrial Park, Unit Three, City of El Paso, El Paso County, Texas, commonly known as 35 Celerity Wagon.

*Motion made, seconded and unanimously carried to delete the Resolution that the Mayor be authorized to sign a Ground Lease Estoppel and Consent between the City of El Paso, Texas (Lessor), FINSA El Paso, Inc. (Borrower) and Prudential Mortgage Capital Company, LLC (Lender), together with related documents, for the following property: Lots 7, 8, 9 and 10, Block 8, Butterfield Trail Industrial Park, Unit Two, City of El Paso, El Paso County, Texas, commonly known as 15 Leigh Fisher Blvd.

*Motion made, seconded and unanimously carried to delete the Resolution that the Mayor be authorized to sign a Ground Lease Estoppel and Consent between the City of El Paso, Texas (Lessor), FINSA Development Corporation (Borrower), and Prudential Mortgage Capital Company, LLC together with related documents, for the following property: Portions of Lots 7 & 8, and 9 Block 13, Butterfield Trail Industrial Park, Unit Three, City of El Paso, El Paso County, Texas, commonly known as 26-28 Walter Jones

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a release of lien on the following property (legal description on file in the City Clerk's Office) for consideration paid to the City in full satisfaction of amount owed pursuant to th condemnation lien:

	<u>Lien Amount</u>	<u>Amount Paid</u>
8903 Padilla Drive	\$1,941.86	\$1,941.86

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***RESOLUTION**

WHEREAS, at the City's request, the State, acting by and through its Texas Transportation Commission (TTC) passed TTC Minute Order No. 102542 providing for the development and funding of the Central Business District Phase IV street reconstruction project for downtown El Paso, Texas; and,

WHEREAS, the City desires to enter into a Local Transportation Project Advance Funding Agreement with the State, acting by and through the Texas Department of Transportation (TxDOT) to provide for an 80/20 cost share for the project with 20% being the City's matching fund requirement; NOW THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO THAT:

The Mayor is hereby authorized to sign a Local Transportation Project Advance Funding Agreement with the State of Texas, acting by and through the Texas Department of Transportation for the Central Business District Phase IV street reconstruction project for downtown El Paso, El Paso County, Texas.

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 Motion made, seconded and unanimously carried to move to the regular agenda the following:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a support letter on behalf of the Bridge Center for Contemporary Arts for an application for Empowerment Zone funding.

Mr. Byron Johnson from Purchasing mentioned that the Bridge's Cultural Tourism Project will start at the end of September and will be completed in 90 days.

Motion made by Representative Escobar, seconded by Representative Power, and unanimously carried to approve the above resolution. Representative John Cook abstained from voting.

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Director of the El Paso Museum of Art be authorized to accept, on behalf of the City of El Paso, the exhibition "Gaspar Enriquez: Elegy on the Death of César Chávez," featuring paintings by Gaspar Enriquez, which is scheduled to be on view at the Museum from September 2, to November 25, 2001. Shipping expenses will not exceed \$1,000.

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Director of the El Paso Museum of Art be authorized to purchase on behalf of the City of El Paso the following works:

One (1) gelatin silver print by artist Miguel Gandert entitled *Teresa Gutierrez, Juárez, Mexico*, at a purchase price of \$1,080.00, with funds provided by the Marian Meaker Apteckar Foundation.

One (1) painting by artist Julian Onderdonk entitled *Bluffs on the Guadalupe River, 17 miles Above Kerrville, Texas*, at a purchase price of \$30,000.00, with funds provided by the Estate of Charles Leavell.

One (1) Italian red granite sculpture by artist Jesus Bautista Moroles entitled, *Ellipse*, at a purchase price of \$15,900.00, with funds provided by Friends of the El Paso Museum of Art in honor of Becky Duval Reese's 10th anniversary as Director.

Four (4) sculptures by artist Anna Jaquez entitled, *Colicos*, *Estomago Revuelto*, *Mal Aire*, and *Dolor de Estomago*, at a purchase price of \$6,000.00, with funds provided by the Lipscomb Endowment Fund.

One (1) chromogenic print by artist Lori Nix entitled *Abandoned Car*, at a purchase price of \$175.00, with funds provided by Museum staff in honor of Elizabeth Schorr, Registrar.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to execute the following Employee Contractor contract on behalf of the Parks & Recreation Department. Funding for this contract is in Fiscal Year 2001-2002 appropriations to be approved by the City Council, subject to approval by the City's Civil Service Commission.

**PAVO REAL RECREATION CENTER
NO. 510115, SUB-OBJECT 201011**

CONTRACTOR: Lisa Marie Perez, Day Care Instructor, Step 6
DATES: September 4, 2001, thru May 30, 2002
RATES PER HR: \$7.40
CONTRACT NO: 2001/2001-027

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to execute the following Independent Contractor contract on behalf of the Parks & Recreation Department. Funding for this contract is in Fiscal Year 2001/2002 appropriations to be approved by the City Council, subject to approval by the City's Civil Service Commission.

**PAVO REAL RECREATION CENTER
NO. 510115, SUB-OBJECT 202214**

CONTRACTOR: Rodolfo Hernandez, Ballet Folklorico Instructor
DATES: September 1, 2001 thru November 30, 2001
RATE PER CL: \$10.30
MAXIMUM AMT: \$267.80
CONTRACT: 2001/2002-050

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to execute the following Employee Contractor contracts on behalf of the Parks & Recreation Department. Funding for these contracts is in Fiscal Year 2000-2001 appropriations to be approved by the City Council, subject to approval by the City's Civil Service Commission.

**AQUATICS
NO. 010281, SUB-OBJECT 201011**

1. CONTRACTOR: Martha Garcia, Swim Instructor Coordinator
DATES: July 23, 2001, thru September 30, 2001
RATES PER HR: \$6.50
CONTRACT NO: 2000/2001-338

2. CONTRACTOR: Alfredo J. Corona, Lifeguard I, Step 1
DATES: July 30, 2001, thru September 30, 2001
RATES PER HR: \$6.00
CONTRACT NO: 2000/2001-339

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to execute the following Independent Contractor contracts on behalf of the Parks & Recreation Department. Funding for these contracts is in Fiscal Year 2001/2002 appropriations to be approved by the City Council, subject to approval by the City's Civil Service Commission.

CDBG GRANT - MULTIPURPOSE CENTER

NO. 7127CD, 0032 GRANT DETAIL, SUB-OBJECT 202214

1. CONTRACTOR: Ralph Ortiz, Jr., Persons w/ Disabilities Program Supervisor
DATES: September 1, 2001 thru February 28, 2002
RATE PER CL: \$8.00
MAXIMUM AMT: \$4,800.00
CONTRACT: 2001/2002-038

SAN JUAN RECREATION CENTER

NO. 510123, 202214

2. CONTRACTOR: Michelle Rochel, Aerobics Instructor
DATES: September 3, 2001 thru February 27, 2002
RATE PER CL: \$7.90
MAXIMUM AMT: \$411.00
CONTRACT: 2001/2002-039

SPORTS PROGRAMMING

NO. 010215, SUB-OBJECT 202215

3. CONTRACTOR: El Paso Umpires Association, Officials/Scorekeepers Football
DATES: September 1, 2001 thru November 18, 2001
RATE PER GM: \$66.00
MAXIMUM AMT: \$15,180.00
CONTRACT: 2001/2002-040

4. CONTRACTOR: El Paso Umpires Association, Officials for Basketball
DATES: September 1, 2001 thru October 1, 2001
RATE PER GM: \$38.00
MAXIMUM AMT: \$7,030.00
CONTRACT: 2001/2002-041

5. CONTRACTOR: El Paso Umpires Association, Supervisor and Umpires Softball
DATES: September 1, 2001 thru December 31, 2001
RATE PER GM: \$11.00
MAXIMUM AMT: \$3,410.00
CONTRACT: 2001/2002-042

6. CONTRACTOR: Abel Flores, Scorekeeper Various Leagues
DATES: September 1, 2001 thru March 25, 2002
RATE PER GM: \$9.00
MAXIMUM AMT: \$3,150.00
CONTRACT: 2001/2002-043
7. CONTRACTOR: Hector Garcia, Scorekeeper Various Leagues
DATES: September 1, 2001 thru March 31, 2002
RATE PER GM: \$9.00
MAXIMUM AMT: \$2,700.00
CONTRACT: 2001/2002-044
8. CONTRACTOR: Nancy Jackson, Supervisor Co-ed Softball
DATES: September 1, 2001 thru December 31, 2001
RATE PER GM: \$11.00
MAXIMUM AMT: \$1,100.00
CONTRACT: 2001/2002-045
9. CONTRACTOR: Enrique Montes, Site Supervisor Youth Sports
DATES: September 1, 2001 thru December 31, 2001
RATE PER GM: \$10.00
MAXIMUM AMT: \$2,000.00
CONTRACT: 2001/2002-046
10. CONTRACTOR: Steve Raya, Supervisor/Scorekeeper Softball/Football
DATES: September 1, 2001 thru December 1, 2001
RATE PER GM: \$10.25
MAXIMUM AMT: \$1,363.25
CONTRACT: 2001/2002-047
11. CONTRACTOR: Sun City Officials Association, Officials/Scorekeepers Football
DATES: September 1, 2001 thru November 18, 2001
RATE PER GM: \$59.00
MAXIMUM AMT: \$5,310.00
CONTRACT: 2001/2002-048
12. CONTRACTOR: Texas Amateur Softball Association, Officials Co-ed/Men Softball
DATES: September 1, 2001 thru December 31, 2001
RATE PER GM: \$16.00
MAXIMUM AMT: \$2,512.00
CONTRACT: 2001/2002-049

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to execute the following Independent Contractor contracts on behalf of the Parks & Recreation Department. Funding for these contracts is in Fiscal Year 2001/2002 appropriations to be approved by the City Council, subject to approval by the City's Civil Service Commission.

CDBG GRANT - MULTIPURPOSE CENTER

NO. 7127CD, 0032 GRANT DETAIL, SUB-OBJECT 202214

1. CONTRACTOR: Claudia Carrasco, Aerobics Instructor
 DATES: September 1, 2001 thru February 28, 2002
 RATE PER CL: \$10.00
 MAXIMUM AMT: \$520.00
 CONTRACT: 2001/2002-018

2. CONTRACTOR: Ana Thorton, Instructional Services Persons w/Disabilities
 DATES: September 1, 2001 thru February 28, 2002
 RATE PER CL: \$9.55
 MAXIMUM AMT: \$7,219.80
 CONTRACT: 2001/2002-019

3. CONTRACTOR: Homer Gorton, Low Impact Aerobics Instructor
 DATES: September 1, 2001 thru August 31, 2002
 RATE PER CL: \$12.80
 MAXIMUM AMT: \$1,945.60
 CONTRACT: 2001/2002-020

4. CONTRACTOR: Cissie Harshbarger, Rhythm Exercise Instructor
 DATES: September 1, 2001 thru August 31, 2002
 RATE PER CL: \$12.80
 MAXIMUM AMT: \$1,945.60
 CONTRACT: 2001/2002-021

5. CONTRACTOR: Miguel Medina, Aerobics Instructor
 DATES: September 1, 2001 thru August 31, 2002
 RATE PER CL: \$10.00
 MAXIMUM AMT: \$1,510.00
 CONTRACT: 2001/2002-022

6. CONTRACTOR: Vanessa Campos, Ballet and Tumbling Instructor
 DATES: September 1, 2001 thru August 31, 2002
 RATE PER CL: \$9.55
 MAXIMUM AMT: \$5,730.00
 CONTRACT: 2001/2002-023

7. CONTRACTOR: Arnoldo Varela, Martial Arts Instructor
 DATES: September 1, 2001 thru August 31, 2002
 RATE PER CL: \$11.80
 MAXIMUM AMT: \$7,363.20
 CONTRACT: 2001/2002-024

**LEONA FORD WASHINGTON RECREATION CENTER
 NO. 510081, 202214**

8. CONTRACTOR: Ida Ramirez, Aerobics Instructor
 DATES: September 3, 2001 thru March 30, 2002
 RATE PER CL: \$13.70
 MAXIMUM AMT: \$1,370.00
 CONTRACT: 2001/2002-025

**MEMORIAL PARK SENIOR CENTER
NO. 510164, SUB-OBJECT 202215**

9. CONTRACTOR: Javier A. Garcia, Painting Technique Instructor
DATES: September 6, 2001 thru February 28, 2002
RATE PER CL: \$18.00
MAXIMUM AMT: \$468.00
CONTRACT: 2001/2002-026

**MULTIPURPOSE CENTER
NO. 510032, SUB-OBJECT 202214**

10. CONTRACTOR: Grace Gregoria, Instructional Services Persons w/Disabilities
DATES: September 1, 2001 thru February 28, 2002
RATE PER CL: \$7.05
MAXIMUM AMT: \$2,749.50
CONTRACT: 2001/2002-027
11. CONTRACTOR: Veronica Luevanos, Assistant Arts & Crafts Instructor
DATES: September 1, 2001 thru February 28, 2002
RATE PER CL: \$5.50
MAXIMUM AMT: \$1,072.50
CONTRACT: 2001/2002-028

**NATIONS-TOBIN RECREATION CENTER
NO. 510099, SUB-OBJECT 202214**

12. CONTRACTOR: Brian Barajas, Hockey Instructor
DATES: September 1, 2001 thru February 28, 2002
RATE PER CL: \$6.00
MAXIMUM AMT: \$1,200.00
CONTRACT: 2001/2002-029

**NORTHEAST RECREATION CENTER
NO. 510107, SUB-OBJECT 202214**

13. CONTRACTOR: Richard Brown, Karate Instructor
DATES: September 3, 2001 thru August 31, 2002
RATE PER CL: \$20.00
MAXIMUM AMT: \$2,120.00
CONTRACT: 2001/2002-030
14. CONTRACTOR: Nancy Scarantino, Aerobics Instructor
DATES: September 1, 2001 thru August 31, 2002
RATE PER CL: \$10.25
MAXIMUM AMT: \$1,086.50
CONTRACT: 2001/2002-031
15. CONTRACTOR: William R. Collins, Karate Instructor
DATES: September 1, 2001 thru December 29, 2001
RATE PER CL: \$9.95
MAXIMUM AMT: \$537.30

CONTRACT: 2001/2002-032

**PAVO REAL RECREATION CENTER
NO. 510115, SUB-OBJECT 22214**

16. CONTRACTOR: Irma Romero, Aerobics Instructor
DATES: September 1, 2001 thru August 31, 2002
RATE PER CL: \$8.80
MAXIMUM AMT: \$2,763.20
CONTRACT: 2001/2002-033

**SAN JUAN RECREATION CENTER
NO. 510123, SUB-OBJECT 202214**

17. CONTRACTOR: Jessica Michelle Baker, Folklorico Dance Instructor
DATES: September 3, 2001 thru November 29, 2001
RATE PER CL: \$11.90
MAXIMUM AMT: \$309.40
CONTRACT: 2001/2002-034

18. CONTRACTOR: Patricia Chavez, Aerobics Instructor
DATES: September 3, 2001 thru February 28, 2002
RATE PER CL: \$9.55
MAXIMUM AMT: \$1,203.30
CONTRACT: 2001/2002-035

19. CONTRACTOR: William R. Collins, Karate Instructor
DATES: September 3, 2001 thru February 27, 2002
RATE PER CL: \$9.55
MAXIMUM AMT: \$478.00
CONTRACT: 2001/2002-036

20. CONTRACTOR: Anita Martell, Aerobics Instructor
DATES: September 3, 2001 thru February 28, 2002
RATE PER CL: \$7.90
MAXIMUM AMT: \$403.00
CONTRACT: 2001/2002-037

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to execute the following Employee Contractor contracts on behalf of the Parks & Recreation Department. Funding for these contracts is in Fiscal Year 2001-2002 appropriations to be approved by the City Council, subject to approval by the City's Civil Service Commission.

**AQUATICS
NO. 010215, SUB-OBJECT 201011**

1. CONTRACTOR: Julian W. Bermudez, Swim Instructor I, Step 1
DATES: October 1, 2001 thru September 30, 2002

10 REGULAR COUNCIL MEETING - AUGUST 21, 2001

RATES PER HR: \$5.35
CONTRACT NO: 2001/2002-001

**CAROLINA RECREATION CENTER
NO. 510073, SUB-OBJECT 201011**

2. CONTRACTOR: Margie Landavazo, Pre-School Instructor, Step 5
DATES: October 1, 2001 thru December 31, 2001
RATES PER HR: \$7.45
CONTRACT NO: 2001/2002-002

**GALATZAN RECREATION CENTER
NO. 510131, SUB-OBJECT 201011**

3. CONTRACTOR: Juanita Ramirez, Day Care Instructor, Step 5
DATES: September 1, 2001 February 28, 2002
RATES PER HR: \$7.45
CONTRACT NO: 2001/2002-003
4. CONTRACTOR: Virginia Martinez Mata, Day Care Instructor, Step 5
DATES: September 1, 2001 February 28, 2002
RATES PER HR: \$7.45
CONTRACT NO: 2001/2002-004
5. CONTRACTOR: Patricia Cardenas, Day Care Instructor, Step 3
DATES: September 1, 2001 February 28, 2002
RATES PER HR: \$7.20
CONTRACT NO: 2001/2002-005
6. CONTRACTOR: Rosa Revilla, Assistant Day Instructor, Step 6
DATES: September 1, 2001 February 28, 2002
RATES PER HR: \$7.15
CONTRACT NO: 2001/2002-006
7. CONTRACTOR: Claudia Garcia, Assistant Day Care Instructor, Step 4
DATES: September 1, 2001 February 28, 2002
RATES PER HR: \$6.65
CONTRACT NO: 2001/2002-007
8. CONTRACTOR: Gabriela Chavez, Day Care Instructor, Step 2
DATES: September 1, 2001 February 28, 2002
RATES PER HR: \$6.70
CONTRACT NO: 2001/2002-008
9. CONTRACTOR: Elizabeth Moore, Day Care Instructor, Step 5
DATES: September 1, 2001 February 28, 2002
RATES PER HR: \$7.45
CONTRACT NO: 2001/2002-009
10. CONTRACTOR: Carolyn Jo Tromer, Day Care Director, Step 6
DATES: September 1, 2001 February 28, 2002
RATES PER HR: \$9.25

CONTRACT NO: 2001/2002-010

11. CONTRACTOR: Yolanda Cuellar, Day Care Instructor, Step 1
DATES: September 1, 2001 February 28, 2002
RATES PER HR: \$5.35
CONTRACT NO: 2001/2002-011

**NOLAN RICHARDSON RECREATION CENTER
NO. 510074, SUB-OBJECT 201011**

12. CONTRACTOR: Belinda Fisher, Day Care Instructor Aide, Step 5
DATES: September 4, 2001 August 31, 2002
RATES PER HR: \$6.35
CONTRACT NO: 2001/2002-012

13. CONTRACTOR: Evelyn Peña, Day Care Instructor Aide, Step 1
DATES: September 1, 2001 August 31, 2002
RATES PER HR: \$5.35
CONTRACT NO: 2001/2002-013

14. CONTRACTOR: Earle J. Meyers, Day Care Assistant Instructor I, Step 5
DATES: September 1, 2001 August 31, 2002
RATES PER HR: \$6.90
CONTRACT NO: 2001/2002-014

15. CONTRACTOR: Ofelia Losoya, Day Care Director, Step 3
DATES: September 4, 2001 August 31, 2002
RATES PER HR: \$8.35
CONTRACT NO: 2001/2002-015

**NORTHEAST RECREATION CENTER
NO. 510107, SUB-OBJECT 201011**

16. CONTRACTOR: Doris Velasquez, Day Care Instructor Aide, Step 4
DATES: September 1, 2001 August 31, 2002
RATES PER HR: \$6.10
CONTRACT NO: 2001/2002-016

17. CONTRACTOR: Olga G. Armendariz, Day Care Director, Step 6
DATES: September 1, 2001 August 31, 2002
RATES PER HR: \$9.25
CONTRACT NO: 2001/2002-017

18. CONTRACTOR: Vicki Anderson, Day Care Instructor Aide, Step 5
DATES: September 1, 2001 August 31, 2002
RATES PER HR: \$6.35
CONTRACT NO: 2001/2002-018

19. CONTRACTOR: Sandra L. Arvizo, Day Care Instructor Aide, Step 4
DATES: September 1, 2001 August 31, 2002
RATES PER HR: \$6.10
CONTRACT NO: 2001/2002-019

20. CONTRACTOR: Esther Bates, Day Care Director, Step 4
 DATES: September 1, 2001 August 31, 2002
 RATES PER HR: \$8.65
 CONTRACT NO: 2001/2002-020
21. CONTRACTOR: Jana Guillen, Day Care Instructor Aide, Step 4
 DATES: September 1, 2001 August 31, 2002
 RATES PER HR: \$6.10
 CONTRACT NO: 2001/2002-021
22. CONTRACTOR: Teri Herring, Day Care Instructor Aide, Step 5
 DATES: September 1, 2001 August 31, 2002
 RATES PER HR: \$7.45
 CONTRACT NO: 2001/2002-022
23. CONTRACTOR: Priscilla Olson, Day Care Coordinator, Step 5
 DATES: September 1, 2001 August 31, 2002
 RATES PER HR: \$8.00
 CONTRACT NO: 2001/2002-023
24. CONTRACTOR: Delila Sattizahn, Day Care Director, Step 6
 DATES: September 1, 2001 August 31, 2002
 RATES PER HR: \$9.25
 CONTRACT NO: 2001/2002-024
25. CONTRACTOR: Linda Scalza, Day Care Instructor, Step 6
 DATES: September 1, 2001 August 31, 2002
 RATES PER HR: \$7.70
 CONTRACT NO: 2001/2002-025
26. CONTRACTOR: John W. Tillman, Day Care Instructor, Step 5
 DATES: September 1, 2001 August 31, 2002
 RATES PER HR: \$7.45
 CONTRACT NO: 2001/2002-026

NOTE: Resolution was revised on items 1-13 to correct the Contract No. from "2001/2001" to "2001/2002".

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Volunteer Services Agreement between the CITY OF EL PASO and BOB BURNS as a volunteer on September 22, 2001 at the Irving Schwartz Branch Library.

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Personal Services Contract for an Independent Contractor between the CITY OF EL PASO and JOSE GALVEZ as a speaker for a workshop on September 14, 2001 to September

16, 2001 at the Main Library and branch facilities. The total amount of the contract shall not exceed \$3,270.00 and is subject to the approval of Civic Service Commission.

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Personal Services Contract for an Independent Contractor between the CITY OF EL PASO and HERMAN L. TOTTEN, PH.D. to present one workshop entitled "Basic Policy Development" to be held at the El Paso Public Library on September 28, 2001. The total amount of the contract shall not exceed \$1,000.00 and this contract is subject to the approval of the City's Civil Service Commission.

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Personal Services Contract between the CITY OF EL PASO and ARMANDO VARGAS to work as Store Manager at the Museum of Art at the hourly rate of \$15.18, 40 hours per week. The total amount of the contract shall not exceed \$16,800.00 and the contract period is from September 1, 2001 through February 28, 2002 and is subject to approval of the City's Civil Service Commission.

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign an Undergraduate Intern Employment Contract between the CITY OF EL PASO and DEBORAH OLIVAS, as a Graduate Intern for the Office of Management & Budget at the rate of \$7.25 per hour, up to 40 hours per week. The term of the contract is from August 24, through August 15, 2002 and is subject to the approval of the City's Civil Service Commission.

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Personal Services Contract between the CITY OF EL PASO and GERARDO VELAZQUEZ as a Project Review Coordinator for the Parks and Recreation Department at the rate of \$18.25 per hour, not to exceed 40 hours per week and will be reimbursed for mileage at the rate of \$.345 per mile. The term of the contract shall be for the period of September 24, 2001 through September 20, 2002. This contract is subject to the approval of the City's Civil Service Commission.

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***RESOLUTION**

You are hereby notified that at 9:00 a.m. on the 18th day of September, 2001 in the Council Chambers of City Hall, #2 Civic Center Plaza, El Paso, Texas, the City Council of El Paso will hold a public hearing on the question of whether the Building located on the property at 2731 Portland Avenue, in El Paso, Texas, which property is more particularly described as:

Lots: 31 and 32, Block 39, Manhattan Heights Addition, an addition to the City of El Paso, El Paso County, Texas, also known and numbered as 2731 Portland Avenue, El Paso, Texas

1137

is unsafe and dangerous.

According to the real property records of the County of El Paso, Texas, Marcelino Castillo, 2731 Portland Avenue is listed as the Owner of the real property described herein.

The Owner of said property is hereby ordered to appear before City Council and any mortgagees, lien holders, and other persons having an interest in said property are entitled to appear before City Council at said date, hour, and place to show cause why said Building should not be declared a nuisance and ordered to be abated; and

The Owner, lien holders, mortgagees, or any other person having an interest in the property are hereby required to submit at the hearing proof of the scope of any work that may be required to comply with the ordinance and the time it will take to reasonably perform the work.

If the Owner fail, neglect or refuse to comply with the order of City Council the City may pursue one, or all of the following actions:

- I) the city will perform any and all work needed to bring the property into compliance with this order, at its own expense, but for and on account of the Owner, of said property, the cost of which shall be assessed as a lien against the property and;
- II) assess a civil penalty against the property Owner for failure to repair, remove or demolish said Building in an amount not to exceed \$1000.00 a day for each violation, or \$10 a day if the Owner show that the property is the Owners' lawful homestead and;
- III) the Owner may be confined in jail as permitted by state law and;
- IV) appoint a receiver as permitted by state law.

Any civil penalty or assessment imposed will accrue interest at a rate of ten (10) percent a year from the date of the assessment until paid in full; and

That the City Clerk is ordered to provide notice of this hearing to the record Owner and all other persons having an interest in the property as provided by law.

.....
***RESOLUTION**

You are hereby notified that at 9:00 a.m. on the 11th day of September, 2001 in the Council Chambers of City Hall, #2 Civic Center Plaza, El Paso, Texas, the City Council of El Paso will hold a public hearing on the question of whether the Building located on the property at 3118 E. Missouri Avenue in El Paso, Texas, which property is more particularly described as:

Lots: All of Lot 23, and the East 16 feet, 8 inches of Lot 24, Block 62, East El Paso Addition, an addition to the City of El Paso, El Paso County, Texas, according to the plat thereof, recorded in Volume 1, Page 51, Plat Records of El Paso County, Texas

is unsafe and dangerous.

According to the real property records of the County of El Paso, Texas, Soledad Muñoz, 3118 E. Missouri Avenue is listed as the Owner of the real property described herein.

The Owner of said property is hereby ordered to appear before City Council and any mortgagees, lien holders, and other persons having an interest in said property are entitled to appear before City Council at said date, hour, and place to show cause why said Building should not be declared a nuisance and ordered to be abated; and

The Owner, lien holders, mortgagees, or any other person having an interest in the property are hereby required to submit at the hearing proof of the scope of any work that may be required to comply with the ordinance and the time it will take to reasonably perform the work.

If the Owner fail, neglect or refuse to comply with the order of City Council the City may pursue one, or all of the following actions:

- I) the city will perform any and all work needed to bring the property into compliance with this order, at its own expense, but for and on account of the Owner, of said property, the cost of which shall be assessed as a lien against the property and;
- II) assess a civil penalty against the property Owner for failure to repair, remove or demolish said Building in an amount not to exceed \$1000.00 a day for each violation, or \$10 a day if the Owner show that the property is the Owners' lawful homestead and;
- III) the Owner may be confined in jail as permitted by state law and;
- IV) appoint a receiver as permitted by state law.

Any civil penalty or assessment imposed will accrue interest at a rate of ten (10) percent a year from the date of the assessment until paid in full; and

That the City Clerk is ordered to provide notice of this hearing to the record Owner and all other persons having an interest in the property as provided by law.

.....
*Motion made, seconded and unanimously carried that the street and drainage improvements in the following subdivision be accepted for maintenance by the City. The improvements within the stated limits have been completed in accordance with the approved plans and specifications.

Subdivision: Redd Road I-10 Business Park Unit I Phase II

Drainage Improvements:

Ponding Area - between Lots 1 & 2, Block 2, with a 1.98 ac. and a 6.91 ac-ft. capacity; 59.0 ft. of 24.0" R.C.P. Type III and 1 Headwall Structure; 1546.0 ft. of Rockwall with 2-12.0 ft. of Chain link Fence Gate; and 1 - Junction Box/24.0" Manhole.

.....
*Motion made, seconded and unanimously carried that the street and drainage improvements in the following subdivision be accepted for maintenance by the City. The improvements within the stated limits have been completed in accordance with the approved plans and specifications.

Subdivision: Vista Del Sol Unit 153

Street Improvements:

Morgan Marie Street - from the south-easterly property line of Lot 79, Block 569, to the heel at Lot 38, Block 570 (Rose Bud Lane).

1135

Amber Morgan Drive - from the south-westerly property line of Lot 83, Block 569, to Morgan Marie Street.
 Tender Foot Court - from Amber Morgan Drive to Morgan Marie Street.
 Elkhorn Court - from Amber Morgan Drive to the end of cul-de-sac at Lot 35, Block 576.
 Green Vine Court - from Amber Morgan Drive to the end of cul-de-sac at Lot 41, Block 576.
 Folklore Court- from Amber Morgan Drive to the end of cul-de-sac at Lot 47, Block 576.
 Kindling Court - from Amber Morgan Drive to the end of cul-de-sac at Lot 53, Block 576.
 Rose Bud Lane - from the heel at Lot 82, Block 568 (John Phelan Dr.), to the heel at Lot 38, Block 570 (Morgan Marie St.).
 John Phelan Drive - from the heel at Lot 82, Block 568 (Rose Bud Lane), to the north-easterly property line of Lot 119, Block 568.
 Thunder Bolt Court - from John Phelan Drive to the end of cul-de-sac at Lot 54, Block 570.
 Angel Wings Court - from John Phelan Drive to the end of cul-de-sac at Lot 69, Block 570.
 Vikki Carr Lane - from John Phelan Drive to the north-easterly property line of Lot 6, Block 561.
 Blackberry Court - from John Phelan Drive to the end of cul-de-sac at Lot 24, Block 561.
 Blueberry Court - from John Phelan Drive to the end of cul-de-sac at Lot 29, Block 561.

Drainage Improvements:

John Phelan Drive - 1-10 Grate Drop Inlet Type II with Junction Box; 336' of 36.0" R.C.P.; 1 Junction Box/72.0" Manhole; and 37.0' of 42.0" R.C.P.

Vikki Carr Drive - 1-3 Grate Drop Inlet Type III; 69.0' of 24.0" R.C.P.

15 ft. Drainage Easement - at Lot 68, Block 546; 116.0' of 18.0" R.C.P.; 1-Junction Box/Concrete Headwall and 7.5' x 6.0' Concrete Flume with Thread Plate. At Lot 2G, Block 546 Rancho Del Sol Unit 2, 270.0' x 3.0' Concrete Flume

Ponding Area - at Lot 77, Block 546, with a 2.00 ac., and a 10.5 ac-ft capacity; 1 thrust Block Structure; Rock Rip-Rap Desilting Basin with 1-3 Grate Drop Inlet Type III, 69.0' of 30.0" R.C.P.; 2 Headwall Structure; and 1360.0' of Rockwall Fence with 1-18 ft. and 1-14 ft. of Double Swing Vehicular Gate

Park/Pond - at Lot 84, Block 546, with a 2.31 ac. area and a 0.60 ac-ft. capacity; 560.0 ft. of Rockwall Fence.

.....
 *Motion made, seconded and unanimously carried to approve the request for the following name(s) to be placed on the Reinstatement list in accordance with Article VI, Section 6.10-10, of the Civil Service Charter Provisions:

- A. Richard R. Ayala, Refuse Collection Assistant Route Foreman
- B. Christopher S. Hendricks, Police Officer

.....
 *Motion made, seconded and unanimously carried to approve the following provisional appointment(s) in accordance with Article VI, Section 6.6-2, of the Civil Service Charter Provisions:

- A. Automotive Shop Helper - Sun Metro (3)
 - B. Coach Mechanic II - Sun Metro (1)
 - C. Coach Mechanic III - Sun Metro (1)
 - D. Deputy Court Clerk I - Municipal Court (1)
 - E. Information Entry Operator - Police (1)
-

*Motion made, seconded and unanimously carried to re-appoint Gary A. Porras to the City Plan Commission by Representative Sariñana.

*Motion made, seconded and unanimously carried to delete the board appointment of Mark G. Briggs to the City Plan Commission by Representative Sumrall.

- A. PID #A460-000-0050-0010, \$550.79 per month installments on a balance of \$5,507.90 for 1996 & 1997 taxes; Ramon & Isabel Fernandez - 104 Sun Park Rd.
- B. PID #M635-002-0020-1200, \$439.38 per month installments on a balance of \$5,272.56 for 1995, 1996, 1997 & 1998 taxes; Jose G. Jaquez - 2 Montana Land Estates #2.
- C. PID #U819-999-0100-02C1 & U819-999-0100-02C0, \$408.26 per month installments on a balance of \$2,449.56 for 1992, 1993, 1994, 1997, 1998, 1999 & 2000 taxes; George A. Molinar - 922 W. Borderland Rd.

Award to:	Visualedge Technology
	Binghamton, New York
Item:	#1 & #2
Amount:	\$20,628.00

This is a Thirty Six (36) month contract.

.....
*Motion made, seconded and unanimously carried to award Bid No. 2001-187 Mescalero Dr. Accessibility & Building Code Compliance

Contractor: Alpine Remodeling, Inc.
El Paso, Texas

Department: Community Development
Funds available: 150000-7125CD-1233-208027
Funding source: CD
Base Bid I: \$81,100.00
Alternate #11: \$ 4,800.00
Total Award: \$85,900.00

RECOMMENDATION:

The Purchasing Department recommends the award of this contract to Alpine Remodeling, Inc., the low responsible, responsive bidder. It is requested that the Mayor of the City of El Paso be authorized to sign the referenced contract approved by the Deputy Director for Engineering, Contract Compliance, and the Cty Attorney. Additionally, it is requested that the Mayor be authorized to execute budget transfers for this award and project, as necessary.

As part of the award of this contract, the Director of Public Works is authorized to approve contract changes which are necessary for proper construction of the work and carrying out the intent of the design, but which do not increase the scope of the contract as awarded, in an amount not to exceed \$25,000 per numbered change order, and not to exceed the total of 10% of the original contract price as awarded, without further authorization by City Council.

DESCRIPTION OR EXPLANATION:

Base Bid	\$81,100.00
Alternate #1	\$ 4,800.00

TOTAL RECOMMENDED AWARD: \$85,900.00

.....
Motion made by Representative Medina, seconded by Representative Cook and unanimously carried to move to the regular agenda Bid No. 2001-235 Leroy Bonse Dr., Mosswood St. & Crow Dr. Street Improvements

Purchasing Director Byron Johnson explained this bid for Representative Paul Escobar. Representative Paul Escobar congratulated the staff on the progress of this project.

Motion made by Representative Escobar, seconded by Representative Power and unanimously carried to award Bid No. 2001-235 Leroy Bonse Dr., Mosswood St. & Crow Dr. Street improvements

Contractor: Ortega Construction Co., Inc.
El Paso, Texas

Department: Street Department
Funds available: 130007-PW0029-001-208027
Funding source: Flood Control 2000A-GO
Base Bid I: \$387,906.50

Base Bid II: \$ 16,368.50
Total Award: \$404,275.00
District(s): 5, 6, 7

RECOMMENDATION:

The Purchasing Department recommends the award of this contract to Ortega Construction Co., Inc., the low responsible, responsive bidder. It is requested that the Mayor of the City of El Paso be authorized to sign the referenced contract approved by the Deputy Director for Engineering, Contract Compliance, and the City Attorney. Additionally, it is requested that the Mayor be authorized to execute budget transfers for this award and project, as necessary.

As part of the award of this contract, the Director of Public Works is authorized to approve contract changes which are necessary for proper construction of the work and carrying out the intent of the design, but which do not increase the scope of the contract as awarded, in an amount not to exceed \$25,000 per numbered change order, and not to exceed the total of 10% of the original contract price as awarded, without further authorization by City Council.

DESCRIPTION OR EXPLANATION:

Base Bid I \$387,906.50
Base Bid II \$ 16,368.50

TOTAL RECOMMENDED AWARD: \$404,275.00

.....
Motion made by Representative Medina, seconded by Representative Cook and unanimously carried to move to the regular agenda Bid No. 2001-248 Unpaved Street Improvements-Sites I (Linda, Camino De Paz, and Don Quixote) and II (Vesta Loop and Louisiana)

Purchasing Director Byron Johnson explained this bid is to make improvements to unpaved streets that had already been budgeted for.

Motion made by Representative Rodriguez, seconded by Representative Cook, and unanimously carried to award Bid No. 2001-248 Unpaved Street Improvements-Sites I (Linda, Camino De Paz, and Don Quixote) and II (Vesta Loop and Louisiana)

Contractor: J.A.R. Concrete, Inc.
El Paso, Texas

Department: Street Department
Funds available: 250202-PW0028-001-208027
Funding source: FY2001 CO's
Base Bid I: \$267,252.22
Total Award: \$267,252.22

RECOMMENDATION:

The Purchasing Department recommends the award of this contract to J.A.R. Concrete, Inc., the low responsible, responsive bidder. It is requested that the Mayor of the City of El Paso be authorized to sign the referenced contract approved by the Deputy Director for Engineering, Contract Compliance, and the City Attorney. Additionally, it is requested that the Mayor be authorized to execute budget transfers for this award and project, as necessary.

1131

As part of the award of this contract, the Director of Public Works is authorized to approve contract changes which are necessary for proper construction of the work and carrying out the intent of the design, but which do not increase the scope of the contract as awarded, in an amount not to exceed \$25,000 per numbered change order, and not to exceed the total of 10% of the original contract price as awarded, without further authorization by City Council.

DESCRIPTION OR EXPLANATION:

Base Bid \$267,252.22
TOTAL RECOMMENDED AWARD: \$267,252.22

.....
*Motion made, seconded and unanimously carried to award Bid No. 2001-266 4X4 Short Bed 4-Door 8-Cylinder LEV Pickup Truck

Award to: Casa Ford, Inc.
El Paso, Texas

Item: 1 with option O1, O2, O4, O5, O6, O9, O10, O12, O13, O14, O15, and O16
Amount: \$30,370.00

Department: Department of Aviation
Funds available: 620020-208006-500004
Funding source: Airport Capital Outlay
Total amount: \$30,370.00

The Department of Aviation and the Purchasing Department recommend award as indicated to the lowest responsive offer meeting specifications, from responsible parties.

This is a fixed-price, single (one-time) purchase for one 4X4 Short Bed 4-Door 8-Cylinder LEV Pickup Truck, for the El Paso International Airport.

There were three options of purchasing up to one hundred percent [100%] of the original contract quantities, at the same unit price, if the option is exercised within thirty (30) days, sixty (60) days, or ninety (90) days from the date of award of the contract.

Vendor does not offer a fast pay discount.

.....
*Motion made, seconded and unanimously carried to award Bid No. 2001-272 Universal Joints & Related Products

Award to: Vendor (1) Main Auto Parts
El Paso, Texas
Item: Group I, All

Amount: \$10,000.00 (Estimated annually)

Vendor (2) U-Joints Inc.
El Paso, TX
Item: Group II, All
Amount: \$10,000.00 (Estimated annually)

Department: Equipment Maintenance
 Funds available: 370510-203121
 Funding source: Equipment Maintenance Internal Fund
 Total amount: \$20,000.00

The Equipment Maintenance and Purchasing Departments recommend award as indicated to the lowest responsive offer meeting specifications, from responsible parties.

Vendor #1 offers the City the option to extend the term of the contract for two(2) additional years at the same unit prices if the option is exercised within two(2) years from the date of the award. Vendor #1 also offers the City a prompt payment discount of 2% 20 days.

This is a Requirements Type Contract with an initial term of Thirty Six (36) months.

.....
 *Motion made, seconded and unanimously carried to approve Change Order No. 10 (Scope Change) to Dantex Construction for "Marcos B. Armijo Pool and Library" for an increased amount of \$6,658.12. Library has requested change in flooring from exposed, sealed concrete to V.C.T. and carpeting in the meeting room, foyer, office and the ramp in the story/reading areas.

.....
 *Motion made, seconded and unanimously carried to approve budget transfer BT2001-713 EQUIPMENT MAINTENANCE
 Increased cost of parts and increased use by departments.

Increase	\$100,000	to	370510/203121	Parts Purchases
Increase	\$100,000	to	370510/203125	Outside Repairs
Increase	\$200,000	to	370510/104351	Maint Revenue

.....
 *Motion made, seconded and unanimously carried to approve budget transfer BT2001-721 MUSEUM O. ART
 Appropriate donated funds for the purchase of works of art - Various deposit dates.

Increase	\$61,655	to	154001/540006/105060	Donations
Increase	\$61,655	to	154001/540006/208011	Cultural Works

.....
 *Motion made, seconded and unanimously carried to approve budget transfer BT2001-722 AIRPORT
 Transfer of funds to cover remaining cost to expand the Long Term Parking Lot per revised engineering estimates.

Increase	\$55,000	to	620027/AP0011/208027	CWIP Construction
Increase	\$55,000	to	620027/AP0011/107001	Intrafund transfer-in
Increase	\$55,000	to	620018/500002/107002	Estimated Revenues
Increase	\$55,000	to	620018/500002/207001	Intrafund transfer-out

.....
 *Motion made, seconded and unanimously carried to approve budget transfer BT2001-723 AIRPORT
 Transfer of funds to cover the remaining cost to convert the old FAA Building area into a parking lot per revised engineering estimates.

Increase	\$75,000	to	620024/AP0005/208027	CWIP Construction
Increase	\$75,000	to	620024/AP0005/107001	Intrafund transfer-in
Increase	\$75,000	to	620018/500002/107202	Estimated Revenues
Increase	\$75,000	to	620018/500002/207001	Intrafund transfer-out

*Motion made, seconded and unanimously carried to approve budget transfer BT2001-731 MUSEUM OF ART

Appropriate funds for payment of Personal Services Contract - Publicity.

Increase	\$8,000	to	154001/540006/104302	Instructional Fees
Increase	\$8,000	to	154001/540006/202000	Personal Serv Cont

.....
*Motion made, seconded and unanimously carried to approve budget transfer BT2001-733 NON DEPARTMENTAL

City did not comply with grant guidelines.

Decrease	\$18,700	from	010273/101101/204405	Contingency
Increase	\$18,700	to	010018/101101/206000	City Grant Match

.....
*Motion made, seconded and unanimously carried to approve budget transfer BT2001-734 COMMUNITY DEVELOPMENT

This budget transfer increases the funds in the Apodaca Place Improvement Project, a 26th Year Community Development Project. The additional funds are necessary to cover the unexpected costs caused by the discovery of asbestos in the house demolished for construction of the roadway.

Decrease	\$11,000	from	150047/7126CD0002/208027	Construction
Increase	\$11,000	to	150047/7126CD0009/208027	Construction

.....
*Motion made, seconded and unanimously carried to approve the request of Andress High School Band to hold a march-a-thon/parade on August 25, 2001 from 6:00 p.m. to 8:00 p.m. Route: Start at Andress, left on Sun Valley, right on Mackinaw, left on Donald, right on Rushing, left on Sagittarius, right on Sigma, left on Trojan, right on Salem, left on Capt. Valtr, right on Round Rock, right on Rushing, left on Wadsworth, right on Van Horn, right on Murphy, right on Salem, left from Fannin School on Salem, right on Kendall, left on Dearborne, right on Alcan, right on Sun Valley to Andress parking lot. Approximately 250 persons and 3 vehicles will take part. This request includes permission to use amplification (bullhorn). PERMIT NO. 01-097

.....
*Motion made, seconded and unanimously carried to approve the request of Claudia Frias to hold a memorial walk on August 25, 2001 from 7:00 a.m. to 12:00 p.m. Route: Start at Marwood Park at River Bend Dr., north on River Bend to Sunset, left at Sunset, right on Olmos, right on Lombardy, right on love to Emory, proceed on Emory to Frontera, turn right on Roxbury to Benedict, right on Benedict to Hookheath, left on Hookheath and north back to Marwood Park, finish. Approximately 100 - 500 persons and 10 - 30 bicycles will take part. This request includes permission to use amplification. PERMIT NO. 01-099

.....
*Motion made, seconded and unanimously carried to approve the request of Homeowners/Tenants of 11400-11433 Beachfront Drive/Cheryl Liaño to block off 11400-11433 Beachfront between Trawood and Lake Michigan on August 25, 2001 from 6:00 p.m. to 2:00 a.m. for a block party. Approximately 150 persons will participate. This request includes permission to use amplification (disco, 2 speakers). Barricades must be manned according to the State's "Manual of Uniform Traffic Control Devices". PERMIT NO. 01-104

.....
The City Clerk read the item Public Hearing on the Proposed Budget for the City of El Paso for Fiscal Year 2001-2002.

Representative Cook made the motion to postpone the public hearing and action on the proposed Budget for one week. The motion was withdrawn.

Representative Cobos stated that he wanted the public to understand that the tax increase takes away money from individuals and puts it in the City's expenditure budget. He also stated his opposition to the 5.5 cents per \$100 valuation because he feels it is too excessive and that he will settle for 3.5 cents per \$100 valuation.

Mayor Caballero stated that no recommendations were given in the initial 2-month budgetary period from Representative Cobos. He also stated that no budget cuts were made when given the opportunity.

Representative Power stated that he did not see any numbers from Mr. Chapman on the salary increases for city employees and that is why he did not make any cuts to the budget.

Representative Sariñana stated that the tax increase would be \$278 and not \$48 per year if we look at the increase in property taxes followed by the school district and the Central Appraisal.

Mr. Bill Chapman stated that the Mayor's intent is to increase the salary of those city employees whose salary is below the average compared to other major cities such as Austin, Dallas, etc. This means that not everybody would be getting an increase.

Mayor Caballero stated that he recognizes the fact that we are not competitive and we are losing qualified employees because of low wages. The Mayor asked what would happen if he submitted a balanced budget and what would be the implications, the impact on the Year Plan.

Mr. Chapman presented slides where a property with a value of \$50,000, \$75,000, and \$100,000 equals \$2.48, \$3.73, and \$4.97 monthly increase in taxes respectively when looking at the 5.5 cents per \$100 valuation.

Mayor Caballero stated that the city has a credit rating and that is what determines how much it costs us to go out and borrow. He then proceeded by asking what would happen if we have deficits in our budget.

Mr. Chapman replied that it would reduce our outlook to a negative outlook from a positive outlook because of the lack of a budgetary plan. Our AA bond rating would be affected and it is very difficult to obtain such a rating.

Mayor Caballero asked "Why did the year plan numbers turn red on me and why were they black on my predecessors."

Mr. Chapman answered by saying that the other projections were much more liberal, there was no salary increases. Salaries are 80% of the budget.

Representative Power stated that he has a very difficult time with increasing the salary of city employees by making the tax payers pay for it. He is responsible to his constituents and when they elected him, they elected him for improving their quality of life and not to raise their taxes.

Mr. Chapman restated that the increase will not raise the salaries overall, the salaries will not change if they are already competitive and within the average.

Mayor Caballero stated that he believes that the 5.5 cents increase will create a healthy economy up until the year 2006, even though the \$1.67 million balance would be well below the average. He also stated that he believes we need to be sound and grow economically.

Representative Cobos stated that we are not only raising taxes but also raising spending.

Representative Cook stated that we are also raising expectations.

Mayor Caballero asked Representative Cobos if he voted for an additional \$800,000 for the County Health. That was voted on by all City Council Representatives with the Commissioners Court.

Representative Cobos replied that he did vote for the \$800,000 for the County Health.

Mr. Chapman stated that the budget process begins at the end of February, then they go through it with all the departments, and by May they try to have something in place.

Mayor Caballero stated that with the additional \$800,000, we raised the tax from 3.5 to 4.5 cents. The additional \$300,000 is for paying the electricity bill.

Representative Cobos stated that we need a cap of 3.5 cents.

Representative Medina asked Mr. Bill Chapman about the legal department's budget (the Mayor's proposed budget and the budget prepared by Representatives Sariñana and Cobos), he questioned the some of the deductions.

Mayor Caballero said the money was deducted due to a "judgment" that was not rendered.

Representative Medina went back to discuss the city/county health budget discussion, 2001 and the proposed budget (Sariñana and Cobos).

Mayor Caballero explained the differences in the amounts from the Mayor's budget of \$800,000 and the Sariñana/Cobos' budget \$115,000.00

Representative Medina suggested considering not hiring 12 new people, but 4 or 5 for the County Health.

Mayor Caballero explained that \$800,000.00 increase was with the county and he is upset that Sariñana and Cobos are backing out.

Representative Medina commented that we should consider looking at other ways to increase the city/county health budget.

Mayor Caballero asked for Mr. Chapman to explain in general what will happen if we take the tax increase of 3.5 cents. The Mayor went over the numbers that were up for presentation which showed that by FY 2006, it will put us on a deficit of \$49,432,631, the deficit starting in FY 2003 with 5.43 million and increasing every year. What will happen to our Bond Rate?

Mr. Chapman replied that immediately the rating will go down from AA.

Representative Power requested the numbers on salary increases from Mr. Chapman so that he does not make a blind decision but an informed decision.

Ms. Lisa Turner asked at the public hearing if we need a separate hearing for the Cobos/Sariñana budget? She proceeded by suggesting to start by reducing funds from the discretionary fund because she saw a lot of parties last year. She asked where were they (Cobos and Sariñana) at the other Budget Hearings; she said she attended almost all of them. She requested they not come in here at the last minute and make changes and say that now you want to do it this other way.

Mr. Chapman replied that half of a cent is for the \$800,000 and half for debt service.

Ms. Lisa Turner explained that she lives on a fixed income and she guarantees that her rent will go up and she will pay her share if not more, but she believes we need to start investing in the City. Lets quit with the status quo.

Ms. Barbara Snow, Executive Director of the Humane Society, supports the proposed budget because the shelter is the shame of the city.

Dr. Steve Best from UTEP stated that we are running backwards on a budget that we really need and would be very beneficial to the City. He proceeded by asking those Representatives opposing the budget to go on record in public and state explicitly if they are against funding increases for animal control, referring to Representatives Power, Sariñana, and Cobos.

Representative Power clarified that he is against salary increases and not an increase to the budget for animal control.

Representative Sariñana explained that the increase to the budget for animal control has already been done but he opposes the increase in salaries.

Representative Cobos stated that he is in favor of animal control but not on the salary increases to city employees.

Mr. Albert Jefferson explained that he agrees with the tax increase, but not to raise property taxes so drastically and try to fix everything with this huge tax increase.

Mayor Caballero asked Mr. Jefferson if he had come before to his predecessors and suggested to them that we needed a tax increase.

Mr. Jefferson replied that he never did but that he remembers the last tax increase of 2 cents by Mayor Larry Francis.

Mayor Caballero explained that Mr. Chapman had made strong expressions repeatedly that the responsible thing to do was to raise taxes but nothing was done for 20 years other than that 2 cents increase. He proceeded by saying that he had no other choice when he was presented with a city that is actually broke. Mayor Caballero stated that in order to continue to have a solid fiscal administration there are some things that we must do so that your children might have the option to go to college here instead of leaving town.

Mr. Jefferson suggested that the City should collect the \$12 million dollars in delinquent taxes in order to maintain the Bond Rating.

Mayor Caballero replied by saying that there is not much he can do with collecting revenues at this point because this is the way the city was handed to him.

Mr. Jose Eduardo Chavez stated that he is an advocate to the minority's point of view and that he is very distressed with the fact that this administration has insisted with the improvements in the City of El Paso. He stated that he cannot afford the tax increase, even though the tax increase equals a dinner per month, which in his case goes to pay utility bills. Mr. Chavez stated that he believes this City Council has taken the tax increase very lightly other than Representatives Power, Sariñana, and Cobos. He then said that he might be able to cut some essential things in his life to support a reasonable tax increase used for good means. He suggested that we need to improve the educational and economical infrastructure of the city.

Ms. Jennifer Van Cleave, Director for the Humane Society, explained that the 12 positions requested for Animal Control are not linked with the new facility. The current facility is operating with 50% of the recommended staff.

Ms. Barbara Major stated that she believes that the tax increase will not be well taken even if it was 3.1 cents, it takes courage to propose a tax increase. Raising wages for people put money in the economy. Ms. Major asked the Mayor to please not cut money from the libraries because people who read are more successful.

Representative Power restated the he did not make any budget cuts because he was never presented with the numbers for the salary increases and he will not make a blind decision.

Mayor Caballero stated that he is a strong library advocate because the libraries right now are only open 36 hours per week compared to other cities that are open more than 40 hours per week. He proceeded by stating that we have a shortage in librarians because we cannot compete with other cities' salaries.

Mr. Chapman explained that approximately 80% of the total budget is devoted to salaries, it is a lump sum. He proceeded by stating that he cannot give individual percentages because everybody will get a different percentage depending if they get a salary increase when compared to other cities' average for a particular position. He stated that \$3.1million is set aside in the budget for the salary increases.

Mr. Cesar Caballero, President of the Advisory Board, stated that he supports the Mayor's tax increase because of the value of librarians. He believes that the library budget should even be higher than what the budget has assigned. He proceeded by saying that the City of El Paso should stop thinking of themselves as a low wage town.

Mr. Will Debusk, member of the History Museum Advisory Board, stated that he is in favor of the tax increase to benefit the History Museum.

Mr. Chapman explained that \$60,000 is set aside in the budget for staff in the History Museum.

Mr. Luis DeLaCruz explained that he was a city employee for 34 years, retired for 14 years, and that throughout his years of service, non-uniformed employees were always treated differently than uniformed employees. He proceeded by saying that Mayor Caballero is a role model for all city employees because nobody else had the courage to increase the taxes in order to better compensate city employees and he congratulated the Mayor.

Motion made by Representative Cook, seconded by Representative Medina, and unanimously carried to close the public hearing on the proposed budget for the City of El Paso for Fiscal Year 2001-2002.

.....
Motion made by Representative Cook, seconded by Representative Medina and carried to approve the following Resolution:

Representatives Cobos and Sariñana voted Nay.

See Resolution on following pages 27a - 27_

RESOLUTI

WHEREAS: On August 10, 2001 the City Clerk published the official newspaper of the City as provided by law; and,

WHEREAS: On August 21, 2001, a public hearing on the F the City Council; and all taxpayers and interested citizens were present and participate in such hearing:

*The budget
Resolution was
not emailed
so we will
include the
actual document*

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE
CITY OF EL PASO:**

1. That the Proposed Budget for the City of El Paso, filed by the Mayor with the City Clerk on June 29, 2001, is hereby approved and adopted by the City Council, as amended, as the Annual Budget for the Fiscal Year 2001-2002, which begins on September 1, 2001 and ends on August 31, 2002.
2. That any balance in the General Fund subfund on August 31, 2001 shall be allocated first to restore the reserve for claims to \$1,000,000.
3. That the balances in each of the subfunds of the General Fund on August 31, 2001 (subfunds: Government Operations, Solid Waste Management Operations, Cash Reserve Fund, Convention & Performing Arts Center Operations) shall carry forward to the respective Sub-Fund.
4. That the amount of \$14,967,298 is hereby appropriated for FY 2002 equipment purchases for General Fund Departments. (Schedule A lists the preliminary proposed acquisitions. The final list of proposed acquisitions shall be adopted by Council at the time the certificates of obligation are issued.)

*Motion made, seconded and unanimously carried to postpone one week an Ordinance changing the zoning of a portion of Tract 7, Pendale Acres, Unit 2, City of El Paso, El Paso County, Texas (445 Pendale Road) from R-F (Ranch-Farm) to R-2A (Residential). The penalty being as provided in Section 20.68.010 of the El Paso Municipal Code. Applicant: Oscar and Jennifer Lujan / Representative: Oscar and Jennifer Lujan, 12232 Russolo Drive, El Paso, TX 79936. ZC-01021.

Motion made, seconded and unanimously carried to deny the zoning appeal regarding an Ordinance changing the zoning of Lots 7, 8, 9, and 10, Block 46, CAMPBELL ADDITION, El Paso, El Paso County, Texas (1001 - 1005 South Mesa Street) from SRR (Special Residential Revitalization) to C-4 (Commercial) and imposing certain conditions, the penalty being as provided in Section 20.68.010 of the El Paso Municipal Code. Applicant: Ernesto Martinez / Representative: Alfonso Perez, 10562 Tomwood, El Paso, TX 79925. ZC-01032

Ms. Pat Adatao, Planning Director explained that the City Plan Commission and DCC is recommending denial. The plan designates the site for a mixed use. This particular area promotes housing and does promote commercial through a special permit.

Ms. Carmen Felix, Southside Low Income Housing Development Corporation, commented in opposition to this zoning change. The city has rebuilt 800 units of the Sacred Heart Area. Southside has built 2 apartment complexes about one block and a half. Merchants that operate on Stanton street use the buildings on Mesa for warehouses. No other community has this problem with the trash that these warehouses create. Denial would mean that they cannot expand the building but it will not eliminate the problem.

Motion made by Representative Cobos, seconded by Representative Cook, and unanimously carried to deny the adoption of the above Ordinance.

*Motion made, seconded and unanimously carried to postpone four (4) weeks An Ordinance changing the zoning of a portion of Tracts 15, 16, 17A & 17B, Block 79, Section 32, Township 2, TEXAS & PACIFIC RAILROAD COMPANY SURVEYS, El Paso, El Paso County, Texas (South of Montana Avenue and West of Joe Battle Boulevard) from PR-2/C (Planned Residential/Conditions) to RMH/C (Residential Mobile Home/Conditions). The penalty being as provided in Section 20.68.010 of the El Paso Municipal Code. Applicant: Tropicana Homes, Inc. / Representative: Moreno Cardenas, Inc., 2505 E. Missouri, El Paso, TX 79903. ZC-01039

ORDINANCE 14925

The City Clerk read an Ordinance entitled: **AN ORDINANCE CREATING A DISTRICTING COMMISSION FOR 2001, AS IDENTIFIED IN ARTICLE II, SECTION 2.4(B) OF THE EL PASO CITY CHARTER.**

Ms. Pat Adatao from the Redistricting Commission asked that appointments be made by next week. Each Representative will be able to nominate one individual in each of the districts. Anyone that already serves on another Board or Committee can not be appointed.

Motion duly made by Representative Cobos, seconded by Representative Escobar, that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Rodriguez, Medina, Cook, Power, Escobar, Sariñana and Cobos

NAYS: None Absent: Council Member Sumrall

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

.....
ORDINANCE 14926

The City Clerk read an Ordinance entitled: **THAT ORDINANCE NO. 8064, THE CLASSIFICATION AND COMPENSATION PLAN, SHALL BE AMENDED AS FOLLOWS: AS RECOMMENDED BY THE CIVIL SERVICE COMMISSION, THE CLASS OF ASSISTANT AIRPORT OPERATIONS OFFICER IS HEREBY CREATED IN ACCORDANCE WITH THE DUTIES AND RESPONSIBILITIES ATTACHED HERETO. THE CODE IS 5321. THE GRADE IS PM 73.**

Motion duly made by Representative Sariñana, seconded by Representative Rodriguez, that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Rodriguez, Medina, Cook, Power, Escobar, Sariñana and Cobos

NAYS: None Absent: Council Member Sumrall

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

.....
ORDINANCE 14927

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 2 (ADMINISTRATION AND PERSONNEL), CHAPTER 2.40 (MUSEUM DEPARTMENT), SECTION 2. 40.020 (FEES), OF THE EL PASO MUNICIPAL CODE AND ORDINANCE NO. 14194, TO ELIMINATE ADMISSION FEES TO THE EL PASO MUSEUM OF ART AND TO THE EL PASO WILDERNESS PARK MUSEUM.**

Representative Medina recommended that a poster that says that donations are welcome be posted as soon as possible, he has seen requests in other cities' museums.

Motion duly made by Representative Sariñana, seconded by Representative Rodriguez, that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Rodriguez, Medina, Cook, Power, Escobar, Sariñana and Cobos

NAYS: None Absent: Council Member Sumrall

.....
RESOLUTION

WHEREAS, **Shirley and Herman Gschwind Jr.** (the "Applicants") have applied for approval of a detailed site development plan pursuant to Section 20.04.140 (Zoning) of the El Paso Municipal Code, to permit the construction and development of a commercial retail/warehouse building; and

WHEREAS, a report was made by the staff to the City Plan Commission and a public hearing was held regarding such application;

WHEREAS, the City Plan Commission has recommended approval of the subject detailed site development plan; and

WHEREAS, the subject detailed site development plan has been submitted to the City Council of the City of El Paso for review and approval;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. Pursuant to Section 20.04.150 of the El Paso Municipal Code, the City Council hereby approves the detailed site development plan submitted by the Applicants, to permit the construction and development of a commercial retail/warehouse building on the following described property which is located in a **C-3/sc/c (Commercial/special contract/conditions) District**:

A portion of Lot 2, Block 2, REDD ROAD/ I-10 BUSINESS PARK, El Paso, El Paso County, Texas, as more particularly described by metes and bounds in the attached and incorporated Exhibit "A"; and municipally known and numbered as 5375 Desert South Boulevard.

A copy of the approved detailed site development plan, signed by the Applicants, the Mayor and the Secretary of the City Plan Commission, is attached hereto, as Exhibit "B" and incorporated herein by reference.

2. All construction and development on the property shall be done in accordance with the approved detailed site development plan and the development standards applicable in the **C-3/sc/c (Commercial/special contract/conditions) District** regulations.

3. The Applicant shall sign an agreement to develop the property and to perform all construction thereon in accordance with the approved detailed site development plan and the standards applicable in the **C-3/sc/c (Commercial/special contract/conditions) District** regulations. Such agreement shall be signed and filed with the Zoning Administrator and the Executive Secretary of the City Plan Commission before building permits are issued.

4. This approval shall be void if construction on the property is not started in accordance with the approved detailed site development plan within four (4) years from the date hereof.

Motion made by Representative Cook, Seconded by Representative Sariñana and to adopt the above resolution.

.....
RESOLUTION

WHEREAS, TROPICANA HOMES, INC. (the "Applicant") has applied for approval of a detailed site development plan pursuant to Section 20.04.140 of the El Paso Municipal Code, to permit the construction and development of a single-family residential development; and

WHEREAS, a report was made by the staff to the City Plan Commission and a public hearing was held regarding such application;

WHEREAS, the City Plan Commission has recommended approval of the subject detailed site development plan; and

WHEREAS, the subject detailed site development plan has been submitted to the City Council of the City of El Paso for review and approval;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. Pursuant to Section 20.04.150 of the El Paso Municipal Code, the City Council hereby approves the detailed site development plan submitted by the Applicant to permit the construction and development of a single-family residential development on the following described property, which is located in a **PR-II/c (Planned Residential District II/conditions)** District:

A portion of Tracts 15, 16, and 17A, Block 79, Township 2, TEXAS & PACIFIC RAILROAD SURVEYS, El Paso, El Paso County, Texas, as more particularly described by metes and bounds in the attached and incorporated Exhibit "A".

A copy of the approved detailed site development plan, signed by the Applicants, the Mayor and the Secretary of the City Plan Commission, is attached hereto as Exhibit "B" and incorporated herein by reference.

2. All construction and development on the property shall be done in accordance with the approved detailed site development plan and the development standards applicable in the **PR-II/c (Planned Residential District II/conditions)** District regulations.

3. The Applicant shall sign an agreement to develop the property and to perform all construction thereon in accordance with the approved detailed site development plan and the standards applicable in the **PR-II/c (Planned Residential District II/conditions)** District regulations. Such agreement shall be signed and filed with the Zoning Administrator and the Executive Secretary of the City Plan Commission before building permits are issued.

4. This approval shall be void if construction on the property is not started in accordance with the approved detailed site development plan within four (4) years from the date hereof.

Motion made by Representative Power, seconded by Representative Sariñana and unanimously carried to approve the above Resolution.

.....
RESOLUTION

WHEREAS, **K-MART CORPORATION** (the "Applicant") has applied for approval of a detailed site development plan pursuant to the Contract imposed by Ordinance No. 11720 and dated January 1, 1994, to permit the construction and development of a commercial/retail building; and

WHEREAS, a report was made by the staff to the City Plan Commission and a public hearing was held regarding such application;

WHEREAS, the City Plan Commission has recommended approval of the subject detailed site development plan; and

WHEREAS, the subject detailed site development plan has been submitted to the City Council of the City of El Paso for review and approval;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. Pursuant to Section 20.04.150 of the El Paso Municipal Code, the City Council hereby approves the detailed site development plan submitted by the Applicant, to permit the construction and development of a commercial/retail building on the following described property which is located in a **C-3/sc/c (Commercial/special contract/conditions)** District:

A portion of CORONADO DEL SOL UNIT TWO, El Paso, El Paso County, Texas as more particularly described by metes and bounds in the attached and incorporated Exhibit "A" and municipally referred to as 655 Sunland Park Drive.

A copy of the approved detailed site development plan, signed by the Applicant, the Mayor and the Secretary of the City Plan Commission, is attached hereto, as Exhibit "B" and incorporated herein by reference.

2. All construction and development on the property shall be done in accordance with the approved detailed site development plan and the development standards applicable in the **C-3/sc/c (Commercial/special contract/conditions)** District regulations.

3. The Applicant shall sign an agreement to develop the property and to perform all construction thereon in accordance with the approved detailed site development plan and the standards applicable in the **C-3/sc/c (Commercial/special contract/conditions)** District regulations. Such agreement shall be signed and filed with the Zoning Administrator and the Executive Secretary of the City Plan Commission before building permits are issued.

4. This approval shall be void if construction on the property is not started in accordance with the approved detailed site development plan within four (4) years from the date hereof.

Pat Aduato explained that the proposed expansion is to build an 85 single family site.

Motion made by Representative Cook, seconded by Representative Sariñana and unanimously carried to approve the above Resolution.

.....
*Motion made, seconded and unanimously carried to delete the Public Hearing to determine if the property located at 8212 McElroy Avenue in the City of El Paso (legal description on file with the City Clerk) is a fire and safety hazard, and a nuisance and whether the same should be repaired or demolished.

.....
*Motion made, seconded and unanimously carried to delete the Public Hearing to determine if the property located at 8873 Harding Way in the City of El Paso (legal description on file with the City Clerk) is a fire and safety hazard, and a nuisance and whether the same should be repaired or demolished.

RESOLUTION

WHEREAS, the Building Official and the Fire Marshal of the City of El Paso have conducted an investigation and have reported to the City Council in writing that they are of the opinion that the structure located on the property at 411-413 S. Florence Street, in El Paso, Texas, which property is more particularly described as follows:

Lots: 4 and 5, Block 139, Campbell Addition, an addition to the City of El Paso, El Paso County, Texas, according to the plat thereof, recorded in Volume 2, Page 68, Plat Records of El Paso County, Texas

is dilapidated, substandard, and unfit for human habitation or use; is a hazard to public health, safety, and welfare; and

WHEREAS, Guillermo Stephens & 8, 1223 Wagner Ln., El Paso, Texas 79903, record Owner, and all mortgages and lienholders were duly notified according to law to appear at a public hearing before City Council at 9:00 a.m. on August 21st, 2001; and

WHEREAS, NO ONE, APPEARED,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. That City Council having heard the evidence, makes the following findings:
 - a. That the structure located on said property is condemned as substandard, unfit for human habitation or use, and therefore a hazard to the public health, safety, and welfare; and
 - b. That the structure is not in substantial compliance with municipal ordinances regulating fire protection, structural integrity, and disposal of refuse; and
 - c. The structure's certificate of occupancy is hereby revoked; and
 - d. That the structure can not feasibly be repaired.
2. That the City Council hereby orders Owner to comply with the following requirements:
 - a. That the Building be demolished within (30) days; and
 - b. That the premises be cleaned of all weeds, trash and debris within (30) days; and
 - c. That a public hearing be scheduled for October 23rd, 2001, in the City Council Chambers, to determine, if the Council order has been complied with and, if not, to determine penalties; and
 - d. That the Owner of said Building is hereby ordered to comply with all requirements of the Resolution; and
 - e. The owner is advised that in order to obtain a new certificate of occupancy, the entire building and its service systems must be brought into compliance with the current codes
 - f. That upon failure of the Owner to comply with this Resolution, any mortgagees, lienholder, and other persons having an interest in the property have an additional ten (10) days to demolish the Building and clean the premises of all weeds, trash, and debris; and
3. That upon failure of the Owner to comply with this Order, the City of El Paso through its Dept. Director of Building Services shall demolish the Building and clean the premises of all weeds, trash, and debris at its own expense, but for and on account of the Owner of said property; and
4. That said Owner shall become personally liable for all costs incurred by City in connection with demolishing the Building and cleaning the premises of all weeds, trash and debris; and
5. That the costs incurred by the City in connection with demolishing the Building and cleaning the premises of all weeds, trash, and debris shall become due and payable within thirty (30) days of the date of completion of the work and such cost shall be assessed as a lien against the property unless paid; and
6. That upon failure of the Owner to comply with this Order, one or all of the following actions will be taken:
 - a. The City will perform any and all work needed to bring the property into compliance with this order, at its own expense but for and on account of the Owner of said property, the cost of which shall be assessed as a lien against the property; and
 - b. That upon failure of the Owner to comply with this order the City Council may assess a civil penalty against the property Owner in an amount not to exceed \$1,000.00 a day for each violation or, if the Owner show that the property is the Owner's lawful homestead, in an amount not to exceed ten (10) dollars a day for each violation; and
 - c. That upon failure of the Owner to comply with this order, the Owner may be confined in jail as permitted by state law; and

7. That upon failure of the Owner, any mortgages or lienholders to restore the Building so that it complies with all relevant City Code requirements, the City of El Paso, if applicable, may bring an action in District Court to request appointment of a receiver for the rehabilitation of said property pursuant to Section 214.003 of the Texas Local Government Code; and
8. The Owner, any mortgagees, or lienholders have a right to appeal these findings to a court of competent jurisdiction within ten (10) days after notice of this Resolution. The findings shall become final after ten (10) days of receipt of Notice; and
9. That any civil penalty or assessment imposed will accrue interest at a rate of ten (10) percent a year from the date of assessment until paid in full; and
10. That the City Clerk is ordered to cause copies of this Resolution to be served on the record Owner and all other persons having interest in the property as provided by law.

Mr. Tom Maguire, Building Services Department, explained that the property is an abandoned building, several fires have occurred, and that the department recommends demolishing due to unsafe and hazardous conditions.

Motion made by Representative Cobos, seconded by Representative Sariñana and unanimously carried to approve the above Resolution accepting the recommendations of the department.

.....
 *Motion made, seconded and unanimously carried to postpone one week the discussion and action on a resolution to set the number of Substitute Associate Municipal Judges at twenty, to terminate the designation for the temporary El Paso Municipal Court, and to make the designations for the Arraignment Court and the Night Magistrate; and to request that the following Substitute Associate Municipal Court Judge appointments be approved by the City Council as recommended by the Municipal Court Legislative Review Committee, in accordance with Ordinance No. 12403, for terms expiring the second Tuesday in June, 2003: Alfonso Dominguez, Night Magistrate; Carl G. Horkowitz, Arraignment Court; Regina B. Arditti; David A. Bonilla; Ouisa D. Davis; Ralph R. Garcia; Mario A. Gonzalez; Marlene Gonzalez; Patrick A. Lara; Stuart L. Leeds; Alex A. Melendez; John Arthur Needham; Andre C. Poissant; David A. Rutledge; Roberto Sandoval; Dave P. (Duke) Dolezal; Susan Louise Godwin; Max Daniel Muñoz; Richard A. Olivo; and Yvonne T. Rodriguez (there being no alternate candidates available for selection). (Representative Escobar)

.....
 Motion made, seconded and unanimously carried that the following Ordinance, having been introduced pursuant to Section 3.9 of the El Paso City Charter, be advertised for public hearing:

- A. An Ordinance permitting Prepared Foods to use a portion of Marwood Park from 7:00 AM until 8:00 PM on September 9, 2001. Fee: \$100.00 (District 8)

PUBLIC HEARING WILL BE HELD ON SEPTEMBER 4, 2001 FOR ITEM A

Public Hearings will be held as part of the regular City Council meeting which begins at approximately 9AM. All interested persons present shall have an opportunity to be heard at that time. After the public hearings, Council may also delay taking action on Ordinances, no requirement is made by Section 3.9B of the El Paso City Charter to publish any further notice. Copies of all Ordinances are available for review in the City Clerk's office, 2 Civic Center Plaza, Monday through Friday, 8AM to 5PM.

NOTE: Public Hearing date was corrected from August 4, 2001 to September 4, 2001.

.....
 *Motion made, seconded and unanimously carried to delete discussion and action on Maria Guadalupe Ortiz, 01-C-177 (551.071)

ADDITION TO THE AGENDA

Motion made, seconded and unanimously carried to move to the regular agenda the following:

RESOLUTION

WHEREAS, on November 24, 1992, a Commission Agreement was entered into between the City of El Paso ("the City") and John S. Houser ("the Artist") providing for the construction of a project known as the XII Travelers Memorial ("the Project"); and

WHEREAS, work is currently underway on the monument of Don Juan de Oñate, the second of the twelve historically integrated monuments to be constructed as part of the Project; and

WHEREAS, Section 3.04 of the Commission Agreement provides that the maquette of each monument shall be enlarged and that, upon review and approval by the Twelve Travelers Review Committee of such enlargement, payment in accordance with Section 4.02 shall be made by the City; and

WHEREAS, Section 4.02 of the Commission Agreement provides for periodic payments to be made to the Artist at various stages of completion of monuments which are part of the Project, including thirty percent (30%) of the fee upon completion of the full scale model; and

WHEREAS, the Review Committee has notified the Artist of its review and approval of the full scale model of the Oñate monument and recommends to City Council that the payment to the Artist of thirty percent (30%) of the \$137,500.00 fee for the monument, or \$41,250.00, be authorized;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That, consistent with the terms of Sections 3.04 and 4.02 of the November 24, 1992, Commission Agreement, as amended, between the City of El Paso and John Houser ("the Artist"), payment of thirty percent (30%) of the \$137,500.00 fee, or \$41,250.00, be made to the Artist. Such payment relates to completion by the Artist of a full-scale enlargement of the Don Juan de Oñate monument, the second in the series of monuments known as the XII Travelers Memorial.

Representative Medina explained that he understood that there has been a payment already made of approximately \$25,000 and this would be the second payment of 30% out of the \$137,500 fee.

Mr. Jose Quiñonez from Economic Development explained that the first payment was made in 1998 for the development. This second payment is for the enlargement process. Project was started in January 1997 and was to be finished by 1999 then was extended to be finished by December 2000.

Representative Medina explained the reason why he wanted to discuss the item and proceeded to explain that he was one of the City Council members who voted to put this statue at Cleveland Square and there was opposition that Don Juan Oñate was not worthy of such a statue, especially on public land. At that time, the Council members asked very few questions to the staff and the opposition. He continued to explain that he erred and regrets voting for it after having researched the life of Don Juan de Oñate and concluded that his life is not worthy. He demanded an explanation from the XII Travelers Committee on how they decided that Don Juan de Oñate deserved a prominent position in our City. He continued to comment that he has received several pages from Dr. Oscar Martinez, History Professor at the University of Arizona, who has done an incredible amount of research concerning the history of the whole region. He said that research

made him realize that the City is making a mistake that is not going to be able to be corrected. He said he believes Council really needs to study the life of this man and the significance to our people and even others, such as the American Indian. He proceeded to mention that he feels very guilty for not studying the history of this man and requested that his name not appear on any plaque after the completion of the project.

Representative Cook explained that the real issue is to determine whether or not the contractual obligation of completing the full scale model has been accomplished and asked Assistant City Attorney John Nance if the City is required to pay the next 30% if the project has been completed.

Mayor Caballero asked whether the location of the statue site can be discussed now or later.

First Assistant City Attorney Rita Rodriguez clarified that there had been prior City action taken on the land and that the issue of change of location was not on the agenda and could not be revised at this point. The assigned committee is recommending payment to the artist due to the underlying contract.

Representative Sariñana asked if we are bound to this contract and what was the timeline for completion of the project.

Ms. Rodriguez stated that if the monument meets the criteria then we are obligated to honor the underlying contract. The committee that has been assigned this contract is making the recommendation that the full scale model is done and that payment is due now. She continued to explain that Council has extended the timeline at various different times, amending the contract.

John Nance, Assistant City Attorney, indicated that the first installment payment was for 15% of the total amount of the project which is equal to \$20,625, half of the amount that is being requested today which is 30%.

Mr. Antonio Piña, President of the XII Travelers Organization explained that Council assigned the task to the XII Travelers Review Committee of selecting a person in history; the two selected were Oñate and Fray Garcia. The monument is going to be 35 feet high with a 3 foot pedestal. He continued to explain that the Committee Chairman went to Mexico, came back and met with the committee and told them that the statue is complete.

Representative Sariñana asked if the gentleman brought back some exhibits whereby Mr. Piña presented Council some other photographs of the monument. He proceeded to ask questions on the height and weight of the statue and mentioned that he would not really care about bringing the statue into El Paso anymore and asked the legal department if the contract can be stopped.

Representative Medina commented that there might be a question to pay under the contractual agreement but the idea was not to pick a hero but to commemorate a hero of the area and the culture.

Representative Sariñana asked if the item could be postponed.

Representative Escobar explained that we are bound by the contract and there would be no reason to postpone or cancel the project at this point.

Motion made by Representative Cook, seconded by Representative Escobar and carried to approve the above Resolution. Representatives Medina and Sariñana voted Nay.

.....

1119

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to execute a Services Agreement with John W. Morris to perform rep services on the Victorian doll house exhibit for the El Paso Museum of History.

.....
*Motion made, seconded and unanimously carried to approve the request to fill positions on a temporary basis in accordance with Article VI, Section 6.6-3, of the Civil Service Charter Provisions:

Secretary I (1)

.....
Motion made by Representative Sariñana, seconded by Representative Medina and unanimously carried to adjourn this meeting at 1:49 p.m.

APPROVED AS TO CONTENT:

APPROVED AS TO FORM:

Carole Hunter

Carole Hunter, City Clerk



Rita Rodriguez, First Assistant City Attorney